

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JERRELL JACKSON,

Defendant.

8:09CR271

ORDER

Defendant Jerrell Jackson (Jackson) appeared before the court on June 30, 2014, on the Petition for Warrant or Summons for Offender Under Supervision (Petition) (Filing No. 78). Jackson was represented by Assistant Federal Public Defender Julie B. Hansen and the United States was represented by Assistant U.S. Attorney Frederick D. Franklin. Through his counsel, Jackson waived his right to a probable cause hearing on the Petition pursuant to Fed. R. Crim. P. 32.1(a)(1). I find that the Petition alleges probable cause and Jackson should be held to answer for a final dispositional hearing before Chief Judge Laurie Smith Camp.

The government moved for detention. Jackson presented no evidence but nor requested release pending the dispositional hearing. His counsel proffered Jackson would appear and comply with conditions of release. Since it is Jackson's burden under 18 U.S.C. § 3143 to establish by clear and convincing evidence that he is neither a flight risk nor a danger to the community, the court finds Jackson has failed to carry his burden and that Jackson should be detained pending a dispositional hearing before Chief Judge Smith Camp.

IT IS ORDERED:

1. A final dispositional hearing will be held before Chief Judge Laurie Smith Camp in Courtroom No. 2, Third Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, at 10:00 a.m. on August 21, 2014. Defendant must be present in person.

2. Defendant Jerrell Jackson is committed to the custody of the Attorney General or his designated representative for confinement in a correctional facility;

3. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel; and

4. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility shall deliver defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 30th day of June, 2014.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge